

FILED 09 MAR 23 13:49 USDG-ORP

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

TRUSTEES OF OREGON AND
SOUTHWEST WASHINGTON
PAINTERS PENSION TRUST FUND et
al,

Plaintiffs,

v.

HOWARD'S PAINTING SERVICE,
INC.

Defendant.

Civil No. 08-0465-HU

**STIPULATED JUDGMENT OF
DISMISSAL WITH PREJUDICE**

Plaintiffs and Defendant, by their attorneys, stipulate as follows:

1. The Lawsuit, including Defendant's Counterclaims, are dismissed with prejudice and without an award of attorneys' fees or costs to any party;

2. This Stipulated Judgment does not preclude Plaintiffs from conducting a payroll examination of Defendant's books and records for a time period after June 30,

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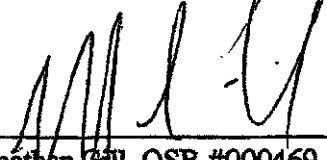
1 2008 and if fringe benefit contributions and/or union dues are found due and owing by
2 Defendant for a time period after June 30, 2008, Plaintiffs may file a lawsuit to collect the
3 fringe benefit contributions, and/or union dues or related charges allegedly due and
4 owing.

5 3. This Stipulated Judgment does not preclude the Trustees of the Oregon and
6 Southwest Washington Painters Pension Trust Fund from filing a lawsuit against
7 Defendant and each person or entity that may be a trade or business and under common
8 control with Defendant for any withdrawal liability obligation of Defendant under the
9 Employee Retirement Income Security Act.

10 It is so stipulated:

11 BROWNSTEIN, RASK, SWEENEY, ET AL SALMON CREEK LAW OFFICES

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14 Cary R. Cadonau, OSB #00224
Attorney for Plaintiffs

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Jonathan Gill, OSB #000469
Attorney for Defendant

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18 It is so ordered and adjudged this 23rd day of MARCH, 2009.

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21 Dennis Hubel
United States Magistrate Judge

22 PAGE 2 - STIPULATED JUDGMENT OF DISMISSAL

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